

SCANNED

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Civil Action No. 04-30013-MAP

CHRISTINE RUARK, Plaintiff,)
vs.)
LIBERTY LIFE ASSURANCE COMPANY OF BOSTON, and, MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY)
Defendant,)

U.S. DISTRICT COURT
DISTRICT OF MASS.

FEB 10 2004
CLERK'S OFFICE
FILED

**DEFENDANTS' ASSENTED TO MOTION TO EXTEND PERIOD OF TIME
WITHIN WHICH THEY MAY FILE THEIR ANSWER
OR OTHER RESPONSIVE PLEADINGS**

Now Comes Defendants Massachusetts Mutual Life Insurance Company ("MassMutual") and Liberty Life Assurance Company of Boston ("Liberty") and hereby move the Court for a twenty day extension of the period of time within which they must file their answer or other responsive pleadings. Specifically, Defendants seek an extension from the existing due date of February 12, 2004 until March 4, 2004.

As grounds for this motion, Defendants' Counsel states that his firm has only recently been retained with respect to this action and is presently in the process of gathering the documents necessary in order to properly respond to Plaintiff's allegations.

See, Affidavit of Theodore F. Glockner, attached hereto as Exhibit 1. Additionally, Defendants seek the extension sought herein, in light of the numerous factual allegations averred by Plaintiff in her Complaint which alleges various violations of the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. § 1132, et. seq.

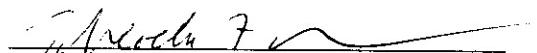
Furthermore, the Court should grant the limited extension Defendants seek since: 1) the Plaintiff has assented to the limited extension Defendants seek during a telephone conference on February 9, 2004; and 2) Defendants have filed this motion before the expiration of the initial twenty day period within which they must answer or file any responsive pleadings.

CONCLUSION

For all of these reasons, the Defendants request that the period of time within which they must file their answer or other responsive pleading be extended from February 12, 2004 until March 4, 2004.

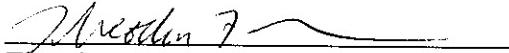
Respectfully Submitted, the Defendant Massachusetts Mutual Life Insurance Company, and Liberty Life Assurance Company of Boston, By:

CREVIER & RYAN, LLP.


Theodore F. Glockner, BBO No. 629469
David B. Crevier, BBO No. 557242
1500 Main Street, Suite 2020
Springfield, MA 01115-5532
Tel. No. (413) 787-2400
Facsimile (413) 781-8235

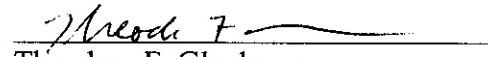
CERTIFICATE OF SERVICE

I hereby certify that I served a true copy of the foregoing on Plaintiff's Counsel via first class mail postage pre-paid this 9th day of February, 2004.


Theodore F. Glockner

LOCAL RULE 7.1 (A)(2) CERTIFICATION

I hereby certify that I conferred with Plaintiff's Counsel and obtained his consent prior to filing the instant motion, in compliance with L.R. 7.1(A)(2)


Theodore F. Glockner